In this book

is contained the offices of Shiriffes, Bayliffes of liberties, Escheatours, Constables and Coroners, and sheweth what euery one of thē may doo by vertue of their offices drawen out of bookes of the common Law and of the Statutes.

Imprinted at London by John Allde, for John Waley.

Digitized by
Google

hat the office of a shirif in
heer after shall more plain
ly appeer, but in a genera
litie, his office is righte-
ously & duely to return all
writs & precepts to him di
rected, & truely to execute the same accor-
ding as he shalbe commaunded in ỹ same
writs & precepts. And that he take nothig
of any person for doing his office, but the
due & accustomable fees to him belonging
And that he duly holde and kéep his coun
ties, Courts and turnes, according to the
due course of the law. Upon these three
points dependeth the whole charge and
effect of his office.

The office of the Shirife is to return
good sufficient and reasonable issues, and
upon such persons as haue sufficiēt goods
or lands, according to the statute of Weſt
minster An. y. capitulo. xxxix. and Edwar
di tertij. capitulo quinto.

The Shiriffe ought to take the indite
ments found before him in his turn by in
denture, and so shall Baylifes of franchi-
ses, one parte whereof shall remain with
the Inditoures. An. secundo Edwardi
tertij. Capitulo, xvij.

593.766

The

The Shirife may arreſt men riding or going armed, and commit them to priſon, there to remain at the kings pleaſure. ij. Ed. iij. capi. v. at Northapmton.

Shirifs and vnder Shirifes ſhall receiue writtes in euery place within the cõty without taking ought, & ſhall make a bil, which if they refuſe other that be preſent ſhall put to their Seales. And if they return not the ſame writs: they ſhall be punished and ſhall render damages to the party. ij. Ed. iij, cap. v. at Northãpton.

Shirifes and Jaylours ſhall receiue theeues indited or taken with the maner without taking any thing for their receit. iiij. Edward i, iij. cap. x.

Shirifes ſhall leaſſe their hundreds and wapontakes after the olde ferme and not aboue. An. iiij. Ed. iij, cap. xv. & An, xiij. Ed. iij. cap. viii.

Shirifs ought to arreſt perſons ſuſpect of felony going by night or by day which be of euil fame. xi. Ed. iij. cap. xiiij.

The Shirif in one cõty ſhall haue no mo Bayliffs errant but one. xiiij. Ed. iij. ca. iv.

Shirifes ought to kẽp their turnes euery yer within a moneth after Eaſter, and within a moneth after Michelmas,

xiij.

xiij. & xxxj. Edwardi. tertij. cap. xiiij.

Shiriffs that leuy illues, fines & amerciaments in the county, ought to haue the extreates enfeled with the feale of the Exchequer, fo that as much as is paied may be blotted. And if any fhiriffe or miniſter do the contrary: he fhall render to the party triple damages, and fhall make fine to the King, & the fute heerof may be allwel befoze Juſtices of peace as befoze other Juſtices. xxiiij. Edwardi. ter. cap. iv.

The Shiriffes fhall aray the panels of Aſſiſes foure dayes befoze the ſeſſions at the leaſt vpon pain of xx. l. And Baylyffes of libertyes, fhall make return to Shiriffes ſix dayes befoze the Seſſions, vpon the ſame pain. xxij. Ed. iij. cap. iv.

The Shiriffe ought to examin loyterers and vagarants, and compel them to finde ſurety of their good behauiour by ſufficient mainpzife of ſuch as be deſireyna ble, if any default be found in ſuch vagarants. And if they cannot finde ſuche ſurety: then to commaund thē to the next Jaile, there to remain vntil the comming of the Juſtices of Jaildelinery, they to do with ſuch vagarants as they ſhall thinck beſt. viij. Richardi. ij. cap. viij.

The Shiriffe shall be bounden fower times in the yere to make proclamation of the statute of Winchester, in euery hundreth of his Baylliwick.

The Shirif ought to take swords, daggers and hangers, from Seruants, labourers, and Seruants of Crafts men, and vitaylers that were them, vnlesse it be in time of war or when they labour in the contrey with their maisters or vpō their busines. And the Shiriffe shall kēp the same weapons, which they shall present vnto the Iusticers of the peace at their sessions with the names of them that bare them. 13. Ricardi. 7. cap. vi.

Shiriffes ought to receiue Labourers, seruants, beggers & vagabonds, & them detain in prison without baile or mainprise and wout fee, or taking any thing at their entrie or going out of prison vpon pain to forfait a C. li. to the King 12. R. 7 cap. ix.

Shiriffes and other ministers of the King so soon as they haue knowledge of affraies & riots, with outragious number of people, ought with the power of ye shire to go and make resistaunce against such malice with all their strength, and shall attache such misdoers and kēp them in

prison

poſſion vntil the due punishment of the law be executed vpon them. And all maner of Lords, and other the Kings true liege men ought to be attident with all their power and ſtrength to aide the Shiriffes and other miniſters therin. xvij. Ricardi ſecundi. capitulo. viij.

Shirifs ought to be perſonally dwelling in their Baylywicks for the time, & they ſhall not let thē to farme. iiij. H. iij. ca. v.

Shiriffes ought to ſee and prouide that neither their vnder Shiriffes, Baylifes Clarks, nor receiuers ſhall be attorneies in the Kings Courts for the time of their office. i. Henrici. v. cap. iiij.

Shirifs ought to let to mainprize perſons inuited of herely and lollardy which are in their képing within x. dayes vnder good ſureties, ſo that they appere before the end of the ſaid x. dayes. y. Hen. v. ca. viij.

Shirifs ſhall cauſe the ſtatute of purueyours to be proclaimed foure times in the yéer, vpon pain of c. pound for euery time that he faileth ſo to do. And vpon like pain ſhall deliuer the ſame to his ſucceſſours to be proclaimed i. Hen. vi. cap. v.

Shiriffes muſt make due electiō of the knights of the parlement. ix. H. vj. ca. iij.

Shiriffes muſt return ſuche perſons Knights of the Parlement which be choſen by the greater nũber of ꝑ freholders dwelling in the county which may expẽd xl. s. yerly abowne all charges.

And that thoſe Knights be dwelling within the ſaid County. And that he ex-amin euery freholder at ſuche electiõs vp on a boke how much he may expend. And if any Shiriffe return other Knights: he ſhall forfait a C. ℔. to the King, and ſhall haue one yeres impriſonment without bail or mainprize.

Shiriffes vpon a precept made vnto them by Juſtices of the peace to inquire for forcible entre, ſhall return vpon euery of the iurours. xx. s. in fines at ꝑ firſt day. And Juſtices of the peace ſhall here and determine ſuch defaults of Shiriffes by Bil, at the ſute of the party or by inditement. And they ſhall leſe xx. ℔. for euery default. And he that will ſue ſhall haue ꝑ one half. vij. Henrici, vi. cap. ix.

To aueid roberyes and ſpoyles vpon the riuer of Seuern, e by the coſtes of Fa reſts, of Deen, and the hundredes of Bledelow, and Weſtbury in the County of Glouceſter ꝑ Shiriffes of Glouceſter or the

Bayliffes

Baylifes of the towne of Glocester after notification made to any of them of such iniuryes and damages, by the parties greeued, within foure dayes after such notification made, shall make proclamation at the towne of Glocester that such offenders within xv. dayes after such proclamation, shall restore vnto the parties endomaged their goods so taken or the value with a resonable amends. The said Shirifs, baylifes to forfait xx. pound if they fail so to do, &c. Henrici septi. capit. xxviij.

The Shiriffe of Yerkshyre, neither in his turn or in any other place after the turn ended, shall take any inquiry or inquest of office which ought not to be taken there. Neither shall he take any fine or amerciament for things not appertaining to his office or turne, vpon paine to forfait x. pound. 2. Henrici. vj. cap. vij.

Shiriffes ought to return in attaints in plea of land, men of the yerely value of xl. s. or in an action for debts concerning lands of such value, and in actions of the sum of xl. pound. And moreouer, those persons dwelling with in their Baillywicks which may expend xx. pound yerely aboue all charges for terme of life at the least

out

and of auncient demeane, Gauelkinde and the v. pertes. And at the firſt diſtreſſe .iii.s and at the ſecond .vi.d. and the double value of euery other diſtreſſe againſt the ſayd iurours, vpon paine of x. pound to the kinge, and as much to the partye. And if there be not ſufficient perſones dwelling within the Countye whiche may expend vi. pound yerely: then ſhall they impanel other perſons of the moſt ſufficient poſſeſſions of yerly value of lands & tenements within the value of twentie pound, vpon paine to forfait ten pound to the kinge, and to the partie aſmuch as the fourme afore ſaid, decimo quinto Henrici ſexti capitulo quinto.

The ſhirif or vnder ſhirif of Herford muſt arreſt ſuch perſones of Wales, or the Marches therof, which he outlawed of treaſon or felony, whome the ſaid ſhirif knoweth or ſeeth to be in any place within the ſaid countie, & to bring them to the Gaile. And if any ſuch perſon, being indicted do diſobay or flie awaye the ſaid ſhirife ſhall ieny, hue and cry, and purſue him vpon paine to make fine and ranſome to the kinge. xxiij. Henrici. vi. cap. v.

The ſhirif ſhall not occupie his office

abouſe

abowne one yer, and if he so do: then to hys fait. xx. l. and euery pardon for such office les shalbe void any lawdes put in such letters Pattents notwithstanding. Also he that presumeth to occupy the same office abowne one yer by force of such leters patents, shalbe disabled to be Shiriffe in any other shire afterward. xviii. H. vi. cap. vij.

No Shiriffe shall let to ferme his countie, nor any of his Bayliwicks hundreds wapentakes. No Shiriffe, Bayliffe of franchise, ne other officer shall return in any panel any of his Bayliffes, officers or their seruants.

No Shiriffe nor any other to any vse shall take ought of any person to be arrested or attached, nor to succesle of any arest or attachment to be made to the body. Nor shall take ought of any person arested or attached, for fine, fee, suite of prison, mainprise, letting to bail, or for shewing any fauour or ease to any person being in arrested, except it be as here followeth: is to wit, to the Shirif. xx. d. to the Bayliffe that made the arrest. iiij. d. and to the Jaylour if the Prisoner be committed to warde foure pence.

The Shiriffe him self, nor any to his

vse

ble shall not take any thing for ỹ making of any return or panel, but for ỹ coppy of the panel iiij.d. How beit they ble to take v. shillings for the return of a panel but that seemeth to be extorcion.

Shiriffes ought to let out of prison all persons, being in their ward by force of any writ, bill or warrant, in any action personall or inviteament of trespasse upon a resonable surety being sufficient in the County to keep their dayes in the places as the said Billes, writtes, or warrants require, except such as be condemned, outlawed, excommunicated, or for surety of the peace, or by the commaundement of any Justice; and vagabonds which refuse to serue.

Also Shiriffes ought not to take any obligations for any thing abouue mentioned or by colours of their office, but onely to them selues, nor of any person being in their ward, but by ỹ name of their office as by the name of Shiriffe in ỹ obligatiō upon condition that the parties shall appeere at the dayes conteined in the writs in such places as the Billes, writtes or warrants require. And if any obligation be taken of any person by colour of their

office

office in any other fourme it shal be void.

Shirifs shall not take for any obligation, warrãt or precept by them to be made any more then foure pence.

Shiriffes must make their deputyes yeerely in the Kings courts, that is to wit in the chauncery, the bench & the eschequer of record before they return any writ.

Sheriffes that do contrary to this ordinaunce in any point shall lese to ỹ partye greeued triple damages, and shall forfait xl. li. for euery time ỹ they shall so offend the one half to the King and the other to him that will sue yrrit. Pen. by. cap. x.

Shiriffes when writs be directed vnto them to leuye the expences of Knights of the Parlement, must make Proclamation at the next Counte after the deliuerannce of the same writs, that the Coroners, Constables, and Baylifes of hundreds shall be there to assesse their wages vpon pain of xl. s.. At what time they shall assesse euery hundred at a certain summe by it self, and after they shall assesse euery village within the same hundred at a certain summe by it self. And if they be otherwise assessed, for euery default they shall forfait xx. li. The one half wherof

shalbe to the partie that will sue. And the Shiriffe shall leuy the same duly and shal pay it to the Knights of the Parlement vpon pain of xx. pound. And the partie þ will sue shall haue his action by scire facias, and shall haue ten pounds abowe the twenty pound with triple damages xviij. Henrici sexti. capitulo vicesimo secundo.

The Shiriffe after the deliuery of any writ to make election for the Knights of the Parlement: must make a sufficient precept vnder his Seale to euery Mayor and Bayliffe of Cities and Boroughs, within the Countie, commanndyng them to elect Citizens and Burgelles to come vnto the Parlement. And the said Mayor and Bayliffe shal truely return the same precept to the Shiriffe by Indenture betwen them for the election, and names of them that are so chosen. And the Shiriffe is bounden to make a good and true return of euery such writ, and of euery return made to him by the Mayor and Bayliffes. And for euery time that the Shiriffe shall do contrary to this or any other statute made for the elections of Shiriffs to come vnto the Parlement: he shall encurre the pain of one C. pound to þ King,

and

and a yeer imprisonment without bail.

And moreouer shall pay vnto the person so beeing chosen Knight, Citizen or burgesse and not duely return: or to any other person whiche in defaulte of suche Knight, Burgesse or Citizen, will sue therfore one hundreth pound to be recouered by Action of det.

And the Shiriffe ought to make suche elections in the ful Counclie, betwen the houres of vij. and nine before noone, and to make a good and true return of such elections, vpon pain to forfait one hundred pound to the King, e almuch to the partie that will sue therfore against the Shiriffe their executors or administratours. 28 Henrici vj. capitulo. xv.

Shiriffes in their turnes ought to inquire, hear, and determine, if any Minister of the Warden of the Court in the marches of Scotland or of any other arrest any person by his bodye or attache him by his goods out of the Counties of Northumberland, and Comberland and Westmerland, and the town of Newcastel, to answere in any of the said courtes: or els by colour or cause of any processe in y said courts: for in such arests it shall

shall set fines vpon such as be indicted of treason, the estreats of which fines shall be made by indenture, and deliuered vnto the same Shirifs or ministers.

And if any Shirifs and their ministers arrest or attache any person by colour of any such inditement, or presentment in their turns and leetes, or else take any fine or amerciament before they haue procede frō the Iusticers of the peace, or afore y estreats out of y inditements shall be deliuered, they shall forfait a c. li. the moitie wherof shalbe to the partie suing therfore by writ of det, in which no wager of law, ne protection shalbe allowed. Anno primo Edwardi vi. cap. vltimo.

Vpon an information made to Iusticers of peace, or other Iusticers against any person for retayning or giuing of liueries or against any that is retained or taketh leuery, the Iusticers shall make procesle there as vpon a recouerye of det or trespasse. And if the partie in any such graunted there vpon against any person being inditted, return any leete fines then ... at the first day of the bailiwicke, and at the second day xl s. and at the third day ... and at euery day after more by xl s. ...

in iſſues for euery ſuch return he ſhal forfait xx. s. viij. Edwardi iij. cap. ij.

The olde Shirif ſhall haue power to return writs, and to execute his office during the terme of S. Michael and Hilary after the yere of his laſt office expired, vnles he be lawfully diſcharged therof before. xv. Edwardi iij. cap. xi.

No Shirif nor other officer ſhall ſeaſe or take the goods of any perſon being arreſted or impriſoned for felony vntil the ſame perſon be duly conuict or attainted of the ſame felony by courſe of the cómon lawes or except the ſame goods be otherwiſe lawfully forfait, vpon pain to forfait the double value of the goods ſo take to the partie greeued ſuing therfore by action of det, wherin no wager of law eſſoin nor protection ſhalbe allowed. i. Richard. iij. capitulo. iij.

No baylif or other officer in any panel within any county of this realme ſhall return any perſon to be put in or vpon any Inquiry, in the turnes of Shirifs, but ſuch as be of good name & fame hauig freholde to the yerly value of xx. s. or copyholde to the yerly value xxvi. s. viij. d. at the leaſt aboue al charges vpō pai to leſe for euery

perſō not beeing ſufficient, at euery time that they ſhall ſo offend xl s. and the ſhe-riff other xl. s. wherof ỹ one moitie ſhalbe to the partie ſuing therfore by action of dett, in which ſuite no protectiō nor eſſoine ſhalbe allowed. But wager of law is not exprꝛeſſed. And for that cauſe it behoueth to make informatiō therof to the Eſcheker primo. Richardi. iij. cap, iiij.

Shirifs or other, hauing the cuſtodie of Jailes ſhall certifie the names of euery priſoner beeing in their cuſtody & of them committed for felony, vnto the Juſtices at the next generall Jaile delinery to be kalendred, vpon pain to forfait for euery time that they make default in ſo doing a hundred ſhillings iij. H. vij. cap v.

Alſo the Shirif nor any other perſon in his name or by his commaundement ſhall enter no plaints into their bookes in no mans name vnleſſe the plaintif be there in his proper perſon or els by ſufficiēt attorney or deputy that is knowen of good name, & the plaintif ſhall finde pledges, perſons ỹ be knowen in that Countie, to purſue his plaint, and the plaintife ſhall beſides that exꝑlait for one treſpaſſe or one offence. And if the Shirif or any other his

officers

officers cause to be entred any mo plaintes then the plaintife supposeth that he hath cause of action against the defendant: then the Shirife or his Clark that doth cause to be entred any such plaints contrary to this act shall forfait for euery default xl. s. the one halfe to him that will sue and prowue the same matter by action of det or information.

Also the shirif shall make sufficient precept after such plaints entered against the defendant directed to the Baylif of the hundred to attache or warne the defendant to appere and answere to the said plaints, and therbe any defaulte in the said Baylife of the hundred in warning or executing of their offices, then to forfait xl. shillings and to be comitt therof by examination of the Justicers of the peace or any of them.

The same Shirifs nor their deputies shall make none estreats to leuy the Shirifs amercements til the vj. Justicers of the peace, wherof one to be of ỳ Quorum haue the sight of their boks & the estrates to be enuented betwixt the Justicers of peace & the Shirif and vnder Shirifs sealed with their seales & one part to re-

main with the said Justicers, and the o-
ther parte with the Shirif.

And those persons that shalbe gathe-
rers of ỳ said amerciamẽts shalbe swoꝛne
by the said Justicers ỳ they take no moꝛe
money then is foꝛfait and conteined in
the estreats sealed with the seal of ỳ Ju-
sticers to the same, vpõ the same pain of
foꝛfaiture as is aboue rehersed, the same
gatherers to be convict by examinatiõ of
the same Justicers oꝛ one of thẽ. And the
same Justicers of peace shalbe appointed
at ỳ sessions holden at Michelmas by him
that is custos rotulorũ. oꝛ in his absence
by the eldest of ỳ quoꝛum to haue the con
troulemẽt of ỳ said Shirifs, vnder shirifs,
shire Clarks and other of the said Offi-
cers, and of the said Shirifs amerciamen
tes. And the said Justicers of peace vp-
on suggestion shall make pꝛocesse against
the Shirif, vndershirif, Shire Clarks, oꝛ
other officers to appeꝛ befoꝛe them to an
swere to such suggestion oꝛ infoꝛmation
as is vsed in action of trespasse. An. secun
do. Henrici vj. capitulo xb.

Also euery Shirif shall cause to be ta-
ken all vagabounds, idle people and sus-
spect persons, and set them in the Stocks,

there

ffyers to remain at the first taking by one day & one night, and at the seconde time to be in the shire house three dayes and three nights, euery bayliffe & maister [illegible] And if any shiriffe returne not theis panelles of euery hundred, hertorty or beggar table to labour) nor Clarks, pilgrims, or shipmen, as often as any of them be called in sight, or that he hath ther of any knowledge within the shiriffe or place where he hath authoritie, shall as often as any such misdoer abideth there about the space of one day and one night and departeth vnarrested and vnpunished for euery misdoer so departed, the shiriffe to lose x.li. and xiij.s. iiij.d. and the shiriffes turne hath authoritie to enquire of all the defaultes of Mayors, Bayliffes, high Constables petye Constables, and all other gouernours and officers of Cities, townes & villages with their turn, and to haue iij.s. iiij.d. for euery default found in his turn, Anno xo. Henrici vij. cap xiij.

Also euery shiriff vpon a precept directed vnto him by ỳ Iusticers of peace to returne a panel to enquire of any riot or vnlawful assemble committed, shall returne xxiiij. persons dwelling in the shire, euery

ber Shirif aboue said, within a moneth next following, shall certifie before the King and his councel ỹ whole deed with all the circumstaunces therof which certificat shalbe as strong to put the parties to answere therupõ, as in an inditement found by xij men. xiij. H. iiij. cap. vltimo.

Also if the said riot or vnlawfull assemble be not found (by reason of any embracery or maintenaunce of the said Jury) then the said Justicers of peace & the shiriffe ouer and aboue such certificate that they must make according to the said statute made An. xiij. Hen. quarti, shall in the same certificat certifie ỹ names of the said mainteinours and embracetours in that behalf (if any be) with their misdemeanours that they know, upon pain of euery of the said Justices, and Shiriffes or vndershirifs. xx. li. if they haue no reasonable excuse for not certifying of the same, which certificate so made shalbe an inditement in the law, and euery person duely prowed to be mainteiner or embracetour shall forfait xx. li. and to be cõmitted to warde, there to remaine by discretion of the Justicers. An. xij. Hen. vj. cap. xiij.

Also that no Shirif upon writtes and

precepts

precepts directed to him do return before Escheatours or Commissioners any person to inquire of any lands or tenaments, except euery of the same Jury haue lands and tenaments of the yerely value of vi. s. aboue all charges in the same shire upon pain of forfaiture for euery person so returned a C. shillings. Anno iii. Henrici octaui, capitulo secundo,

Also all panels put in by the shirif before any Justicer of Jaile delyuery or before Justicers of peace (whereof one to be of the Quorum) in their open sessions to enquire, for the king shalbe reformed by putting to, and taking out of the names so impanelled by discretion of the same Justicers. And y^t the same Justicers or Justicer shall commaund euery shirif & their ministers in their absences to put other persons in the same panel so reformed by the Justicers to be good. And if any shirif do not return y^e same panel so reformed: then euery shirif so offending, for euery such offence shall forfait xx. l. half to him that wil sue by action of det, bil of complaint where such fail or be, & no wager of law essoin, nor protection shall be allowed.

Also upon euery exigent (where writs

of

of proclamacio are to be awarded, & same writ of proclamation to haue the same day of retorn that the exigent hath, and to be returned of record, & the Shirif to make proclamation three seuerall dayes in his plain county, wherof one of the proclamations to be made at the generall sessions in those partes where the partye is supposed tobe dwelling, that he yeeld himselfe the shirif of the forain shire ỳ the Shirif may haue the body at the day of the exigent, returnable to answer to ỳ plaints, and ỳ the Shirif of the said countie that hath such writs of proclamatiō: duely execute the same, and therof make due return at the day appointed in the writ, vpon pain to forfait suche a merciament as by the Justicers shalbe assessed.

Shirifs, Baylifs, Constables and all other hed officers and euery of them finding or knowing any person vsing or exercising any vnlawful game contrary to the statute, haue ful power to commit euery such offendour to warde there to remain vnout bail or maiprise, til such time as they so offēding be bound by obligation to ỳ kings vse, in such summes of money as by discretion of the said shirifs, or other

officers

officers shalbe thought reasonable, & they from henceforth shall not vse any vnlaw full gaine vj. Hen. octa. capi. secundo.

If any impotent person beg within any other place then within such limits as he shalbe assigned, the Shirife & other of the kings officers shall by their discretion punish such persons by imprisonment in the stocks, by the space of two dayes and two nights giuing them bread and water onely, & after that cause them tobe sworne to return again to the place where they be licensed to beg. Anno. xxij. Henrici. viij. capitulo duodecimo.

The Justicers of peace vpon informacio or presentment made against any township for none executing of this act, shall make proces by distresse against the inhabitants of the town & therby the Shirife shall distraine the goods of one or two of the Inhabitants of the towne as he may know for negligent in the town & retain the distresse til they finde surety to appear at the Sessions before the Justicers.

And vpon the return of the Shirif of the distres if the perso appear not: the euery such perso to lose xl. s. the first distres, and at the second destresse vj. s. viij. d. vp-

on

on his default, and so to be doubled at the verydistresse til appearaunce be had.

Shiriffs that haue custody of Gaoles shal make seales to be grauen with the name of the Castel that he keepeth for to ꝑtein and seale writs to ꝑisoners acquited, to beg for their fees within ꝯ hundreth where he is deliuered by vi. weekes next after his deliuery and then to go to the hundreth where he last dwelled by iij. yeres or where he was borne. The shirif shall not suffer any such ꝑisoner to beg for his fees nor to departe but to doo seruice and labour til ꝯ he deliuer him such letter and the Clark of the peace to make the writ within one day after the Sessions vpon pain of xij.d. to the King. An. xvij. Henri. viij. capitulo xij.

For destroying of Crowes, Rooks and Choughes, it is ordained that euery person hauing any maners, lands & tenements in their manurāce, shall doo asmuch as in him is resonable to kil & destroy ꝯ same Crowes and Choughs, and Rooks hauing or abiding vpon his lands or tenements vpon pain of a grieuous amerciament to be set. And if the offence be [illegible] in the limmits of Leets, or Court [illegible]

then to be set by the Stuard with two of the presentours by the stuard and presentours to be named vpon the presentment found and presented, and to be resonablye assessed after the qualitie of ỳ offece. And the amercimẽt tobe to the Lord of ỳ law way, and if any person be lord of such manours, or inhabit there (where vnto any such lawway or rape is belonging) then vpon a presentment had before the shirif in his turn with two of the Presentours to be cholen by the presentours shal cesse the said amerciament by their discretion to the vse of the king, and be leuied by distresse. An. xxiij. H. viij. cap. x.

And the Shirifs in their turnes shall giue in charge to the tenaunts and inhabitaunts appearing before them ỳ they shall duely inquire and put in execution the effect of this act.

Shirifs shall holde their Courts from moneth to moneth. And where greater time is wont to be: greater shalbe. Magna Carta cap. xxviij.

The king cõmaundeth that Shirifs and their officers which receiue his dets shall acquit lawfully the dettours at the next accounts after that they haue receiued

ned the det, and then it shalbe allowed at the Eschequer, so ỳ it shall not come in the sommons after. And if the shirif do otherwise and be attainted therof, he shall render three times so much as he hath received and shall make fine at the kings will.

And if an other do it for whose hand he is answerable at the Eschequer, he shall render ỳ triple therof to the plaintif and shall make fine in the same. And the Shirif shall make tailes to all thē that have paid him the kings dets. Westminster primo capitulo nono.

Concerning Shirifs and other which have levied the kings det, and make tailes or other acquitaunce to the dettour & discharge him not, it is agreed that when the shirif is impleaded therfore in the Eschequer by ỳ detter if he come not at ỳ distres, thē shal an other distres be awarded returnable at a certai day wherin it shall be cōmaunded ỳ proclamatiō be made in the ful county, ỳ the defendant shall come in by a certain day to acquit the dettour of the sum, for which he made him ỳ acquittance or tail, at which if he come not in, & the writ be returned and the proclamation certified, he shalbe holden convict

and

and the det shall be leuied of him, in like manner as he recouered against him in the kings court: damages shalbe awarded to the plaintif according to the discretion of the Barons viij. Ed. ij. in the statute of Attaints in the last chap.

The king commaundeth that all his Shirifs and Baylifs which haue receiued his dets, of the somons of the Eschekers which acquit not the debtours vpon the next account, shalbe punished according to the statute made, Distresses of the Escheker Capitulo quinto.

It is ordained that execution of writtes which come to the Shirif be made by the hundreders knowen & sworn, and in the full countye and not by others if it be not for great scarcitie of hundreders. For then it shalbe done by other persons conueniēt & sworn. The statute of Lincoln y last ch.

Shirifs shall not be charged with the leuying of any issues, nor shall leuy any before they cōe out of the Escheker by the extracts there to be leuied. And if per case any Shirif returne issues vpon any recognisor, plege or māucaptor by him allowed & returned into our court which to ye payment of the same issues or amerci-

ments

ments at ỳ time of the return was insuf-
ficiẽt, ỳ same Shirif shalbe charged ther-
with at the Escheker and shal make fur-
les to all persõs of all maner of things hy
him required, and shall not return any
where the names of mainpriors, Iu-
rours or other, except it be according to
the tenoure of the writs to them directed,
nor shall return the names of pledges of
ỳselues any where vnlesse they haue ma-
nifestly confessed themselues pledges.
The statute of fines, cap. ỳ

No Shirif, Coroner, or other the kings
ministers shall take any rewards for do-
ing his office, and if he do he shal pay the
double, and shalbe punished at the kings
will, but shalbe paid of ỳ which they take
of the king. West. 1. cap. xxvj.

Shirifs shall not suffer any barratour
or maintainers of matters vnto his coũty
neither stewards of great Lords or other
(which be not attorneys to their Lords
to doe their suites) nor to sit vpon ỳ iudge-
ments of the Countie, nor to pronounce
them, except he be thereto required of all
the suitors & attorneys that shalbe there
at the same tourney. And if he do the con-
trary, the king shall take it greuously to

the Shirif, and the offendour. Westminster primo capitulo xxxj.

It shalbe lawful for euery Shirif, Iustices of peace & Escheator to seke to the kings vse all such goods and catells that such persons as come within this realme (that be called Egiptians haue) & therof to make account to the king in his Exchequer, and to retain and keep ye moitie therof to his owne vse, & account for the residue, and to pay no fees for the accoūt nor for his discharge therof.

In these Statutes it appeareth what thing ye Shirif ought to do by reson of his office, and that he ought not to take any thing for doing his office, but onely that which is appointed to him by the same statute. And if he do or take any thing other wise: it is extortion, which ought to be inquired vpon by ye Iustices of the peace, and the Shirif shalbe punished therfore.

And if any Shirif do any extortion to the people and be duely attainted therof: he shalbe straightly punished therfore, at the pleasure of the king. Anno. primo. H. viij. capitulo. ix.

Shirifs may and are bound to inquire of cōmon annoiances done to al maner of

the

the Kings Subiects, but not of assaults made vpon any priuat person for that is but a particuler offence, by Martin. iiij. Henrici sexti.

The Shirif must kéep his turn within a moneth after Easter, & within a moneth after the feast of S. Michael. And if he kéep it at any time after the moneth of the said feast: it is void by the statute of An. xxx. E. iij. cap. xix. And all inditements and presentments there taken after the same time be void.

Bloodshed shall be enquired of in ỳ Shirifs turn, because it is an Article that is to be enquired of in a Leet. all leets be deriued and taken out of the Shirifs turns, in so much that for default of enquiry in leets of things enquirable there, ỳ same things there omitted ought to be enquired of, in the turnes of Shirifs. viij. E. iij.

And all the Iusticers said that the Shirif in his turn hath authoritie to enquire of all things that be trespasse, or felony by the cõmon law (except ỳ death of a man) but of trespasse or felony made by statute: the Shirif in his turn hath no power to enquire of. M. xxviij. Edwardi. iij.

And if the Shirif in his turn enquire

of Nusances, that should be inquired of in ỳ Lẽt of an other ẽ the same be found, yet may he not distrein for the amerciament of such a presentmẽt. For if he dooe he is a trespasour. But if ther were a default in the Lord of ỳ Lẽt that he would not inquire or finde ỳ same whẽ he ought to haue inquired therof, in this case it semeth ỳ the shirif in his turn may enquire of it in default of ỳ Lord. M. rr viij. Eiij. And if one haue a fair or market by graunt or prescriptiõ, ẽ kẽp not his faier or market as he ought: the shirif ought to inquire therof in his turn. rrij. Hen. vj.

Upon presentment of Nusance in the shirifs turn, the partie shalbe amerced there by the shirif, which may distraine for the amerciament. And if porpresture be presented: there the shirif may abate the same, and reforme it. M. rr vj, E, iij. Also it appereth by the book of Bracton that vnto the turn of the shirif ought to come all the freholders of the hũdred and other land, tenaunts (Clarks, men of religion and women onely excepted) wher at the shirif shall cause iij. of ỳ moste sage and sufficient persons of the hũdred to be sworne. And then shall all the residue be

sworne

swozne by dolus & by the towne, which shall make their presentment to the first iury. Jurours, vpon the Article wherwith they shalbe charged. And it semeth y the Shirif ought to holde his turn in euery hundred within the counties.

What things be enquirable in the Shiriks turn.

FIrst, they shall enquire if there be any misdoer in y hundred of whom any standeth in doubt of life or lim, and what is his name.

Also they shall enquire of all mortall enemyes to y King, the Queen, their Children or counceilers, of coũterfaiting the Kings seale or his money, of manleaers & murderers, burners of others come or houses felonlously, of Burglours, of robbers, of theues, of outlawes of those that haue abiured the realme & come again, of Sorcerers and witches, of miscreants heretecks, of traitours, and of poisoners, of cutters of purses, of Vsurers, of victuylers buying and selling wittingly stolne flesh, of them that wittingly make white the skins of beasts stolen, of receiptours that wittingly buy stolen clothes & deale them into another faction, of treasure hid

in the ground, hues & cryes wrongfully or rightfully leuied & not pursued, or waters stopped, straightned or turned, of bounes pulled vp or wrongfully chaunged, of wales, houses, gates, marle pits, ditches, or other disturbaunces made or leuied vpon any common way to the annoyaunce: of petybribours ỳ there ought to haue the wont, of such as take theefbote, & of those that haue made a prison of their owne house or household, of pound breche, of trespallers in parke & ponder, of takers of other mens doues, of ỳ assise of bread and ale broken, of them that buy and sell by measure against the assise, of chaunce medleyes, of contecktours, of bloudshed, of watches vnkept, of the kings high waies not inlarged, of those ỳ haue kept appeachers in any other prison then the kings, or any other felon aboue a day & a night, of new liberties, customes or inuisditiõs vsurped since ỳ last turn, on water, or on land, of wrecks, of wrecks of the sea found and kept away, of bridges & causeys broken and who ought to repaire the, and of those that claime fraunchises or Iudgements realle, & of all those of th'age of xij. yeres, gon out of the hundred, which be

not come into their turn (except Clarks Knights, their Children and wines whi the be not in nalins) of vagabonds by the countrey which are of no mans retinue, of whome there is any euil suspition of laiyd demeanours.

And when the townes haue giuen their verdit to the first Iurours, then immediately shall the first Iurours go and giue up their presentment such as they will abide by. And the presentment of felons they shall shew priuily, and the other openly. Wyeton. lib. j. fol. rrrbiij.

Now must you inquire further if Wardens of liberties and franchises, bailie by vertue their office, which resteth in three points, which is, ỹ they truely execute ỹ precepts which be directed vnto them according to the tenours of the same, and that they make due answere and return to the shirif of the same precepts and that he take nothing for doing his office but onely the fees to him due, and appointed by the course of the law. And what fees they shall take, and what thing they ought to do by reason of their office shall appear more plainly by her following.

Upon a precept made by ỹ shirif to a Baylif of liberte vpō a writ of distres directed to the shirif to distrain ỹ defendaūt in the same writ, & the Jurours in any inquest, the Baylifs must return good and sufficient issues vpon ỹ defendaunt, or vpon the Jurours if they haue sufficient goods or lands within his Baliwick, and if the do not ỹ plaintif in the action shall haue an auenment that hee might haue returned greater issues, if ỹ defendaunt make default, or ỹ Jurours by the statute of. 3. Edwardi iij. cap. vi. And the Justicers of the peare must inquire if ỹ Baylifs haue done their office in this point.

Also they must inquire if Baylifs of liberties which be kepers of any Jaile enforce any of their prisoners to be appelers to the intent to haue a fine of the parties appealed for dout of imprisonment, prime Edwardi. iij. cap. vij.

Baylifs of liberties which take indictements in their turnes, or other where, ought to take them by aduenture wherof the one parte shall remain with the indi-

tours

faurs, and the other with the Bayliff. ij. Edward iij. Capitulo. xviij.

Shalbe made Bayliff of liberties except he haue sufficient land in the place where he is minister, to make answers to ye king and his people. iiij. E. iij. cap. iij.

Bayliffs of liberties which be Jaylours and haue the keeping of prisons ought to receiue & safely kepe all theeues deliuered to them by the Constables of the townes beeing inuited, taken with the maner or appealed of felony without taking ought iiij. Edward iij. cap. x.

Bayliffs of liberties must receiue such persons as be arreste in their fraunchise by the Constables, for suspition of felony that walke in the countrie by night, or be of euil name, & shall kepe the in prison vntil the coming of the Justicers of Jaile delinery, and in the mean time the Bayliff must inquire of the. ij. E. iij. cap. xiij.

Bayliffs of liberties, Constables & other officers of townes where loiterers & vagabonds resorte haue power to examin them diligently, and compel the to finde suretye by sufficient mainpernours beeing disclosable of their good behauiour. And if any defaute be founden in the same

loiterers

loyterers and vagabounds, and can not finde suretie: they shalbe sent to the next Jaill there to remain vntil the comming of the Justicers of Jaile delinery which may dō vō them as they shall think best by the course of the law. vij. R. ij. cap. vi.

No seruant or labourer at the end of his terme shall depart out of the hundred or Rape where he is dwelling to dwel any other where, vnlesse he bring a letter pat tēt containing the cause of his going, vnder the kings seale therto alligned. And if any seruāt, labourer, be found vagarant vō out such letters he shalbe taken with by the Shirifs, Mayors, baylifs or other officers, & put in stocks vntil he finde surety of return to the town to ferme frō whence he came, vntil he haue such a letter to departe for cause reasonable. xij. R. ij. cap. iij.

Baylifs of liberties haue power to arrest seruants and labourers y wear daggers, slowgus & knines, & thē to seale and keep vntil the sessions of the peace, & the weapons to present to the Justicers ther vō the names of them that bare them & the weapōs shalbe forfait except they be trauailing in the contrey with their master or their lands or husines. xij. R. ij. cap. vj.

Shirifs

Shirifs and Baylifs of liberties in their libertyes are bound to receiue seruaunts and labourers begging and vagarant, & them to deteine in prison without bail, without taking any fee or other thing of them at their entring or departing, by themselues or by their Depptyes vpon paun of x. li. to the King. xij. Ri. ij. cap. ix.

Baylifs of libertyes to whome the kee-ping of the assise of breed and ale, & the correction of the same belongeth, shall take no amerciament nor fine for no de-fault touchig the said assise for which the offendour ought by the law to haue corpo-rall penaunce, but they shall iudge them to the same penaunce. And Baylifs of liberties and all other that haue the kee-ping & ouersight of vitails shal put in due execution ỳ statute made in the xxiij. yere of Ed. the iij. which beginneth. Quia ma-ior pars populi. &c. xiij. R. ij. cap. viij.

Butchers, Fishers, Hostlers, Bru-ers, Bakers, Pulters, & all other sellers of vittailes, are bounden to sel such ma-ner of vittailes at a resonable price ha-uing regarde to ỳ price wherat such vit-tailes are solde in other places neer, so ỳ they may haue a competent gain and not

excelling

excelline according as by ỹ distance of the places (frō whence ỹ victailes are carried) they shall think reasonable to be required. And if any sel victailes in any other manner and therof be convict: he shall pay ỹ double of that he hath received to the partie endamaged, or in his default to any other that will sue therfore. And Mayors and Bailifs of townes, &c. have power to inquire of all such as offend against this ordinaunce in any point. And in case that the same Mayors and Baylifs be negligent in doing execution of the premisses, and there upon be convicted by the Justicers assigned by vs, they shalbe cōpelled by the same Justicers to restore the triple value of the thing solde to the partie greeued, or to any other ỹ in his default will sue & neuertheless shalbe grieuously punished against vs. xviij. Ed. iij. cap. vj.

No Guard, Bailif, nor other minister of Lordes of franchises whiche haue return of writs, shalbe attorney to any person in any matter within the same franchise or Baylywick where he is officer at any maner of time. iiij. H. iij. cap. xiv.

If any haynous riot be made, the Justicers of the peace, and the Shirif or vnder

Shirif

Shirif ought to do their office according to the statute made. xiij. H. iiij. And if they do not, at the sute of the party greeued a cõmission shall go forth to inquire therof and of the default of ỳ Justicers & the shirif, and ỳ Coroner shall serue the proces and he must return persons ỳ haue land to the yærly value of x. li. and shall return also. xx. s. in issues at the first day, and xl. s. at the second, and at the third a C. shillings, and so double it at euery day after. And if default be in the Coroner in returning the issues, or of persons of such land he shall leese xl. pound. And if the olde Shirif be discharged, ỳ new Shirif shall serue the proces, and not the Coroner vpon pain of xl. li. if the default be found in him, touching the return of other persons by him impanelled which haue not landes to the yerly value of x. li. or to return such issues as the Coroners be charged with. And Bailifs of liberties are bound for to impanel sufficient persõs, as aboue is said vpõ pain to leese xl. li. in case that such persons may be found within his bailiwicke ỳ. Hen. v. Capitulo. viij.

Bailifs of franchises ought to make their returns and answers vnto the shi-

rif

rif vpon his p̄cept made vnto them in a spec'all writ of assise, vj. dayes before the day of the sessions, vpon pain to forfit xl.li. for euery time that they shall do the contrary vj. Hen. 7erti. cap. secundo.

Where a p̄cept is made to the Shirif by Justicers of the peace, to return a panel to inquire of forcible entre, and he sendeth his p̄cept to ỹ bailif of the liber tie to return the panel because ỹ riot was don within the libertie, now is the bay-lif bounden to make due return and execu-tion of the p̄cepts to him directed vpon pain of xx. li. for euery default. And the Statute will that the Shirif shall return xx. s. in issues vpon euery Jurour at the first day & that euery Jurour which shall passe in the enquiry shall spēd xl. s. yerly wherby it seemeth ỹ baylifs of liberties are bounden to do likewise, if so many of the said Jurours be within his liberti-es for els he is not. viij. Hen. vj. cap. ix.

Baylifs of liberties in attaints vpon plea of land of the yerly value of xl. s. or more nor in attaints for deds concernig lands of like value, nor in attaints vpon personall actiōs wherin the recouery ex-tendeth vnto xl. l. or more shall not return

or impanel any persons in such inquests, but those that be dwelling within his bailiwick, & that haue estate to their owne vse in lands or tenemēts for terme of life to the yerly value of xx.li. or more, within his Baliwick out of ancient demesne and the fine portes. And at the first day of the distresse returned shall return no lesse fine in such actions of attaint then. xl. s. and the second distresse C. s. & the double of euery other distresse vpon the persons so impaneled and returned. And if he doe the contrary: he shall pay x.li. to the king and as much to the partie. xv. Henrici vj capitulo quinto.

Baylifs and other the Kings officers may arrest those Souldiers that come from the Sea, & shew not letters testimonials from their captains that they haue licenced them. And they shall kep them vntil they haue enquired whether that they had licence or not, & if they haue no such licence, then shall they be punished as fellons. xxviij. Hen. vj. cap. xix.

No Baylif of a libertie vpon any precept to him directed to return the panell of any enquest shall in the same return any baylifs, officers or seruants to any of-

ficer

ffeir aboute said, nor shall take any thing by them self, or by other, of any person by them arrested or attached to their owne vse or auail nor if any other person for any arest or atachemẽt by ẏ body made by the or ẏ is arrested by vertue of their office for fine, fe, sute of person, mainprise, letting to bail, of shewing of any fafe or fauour to any person so beeing arrested for their reward or profit, but as is herein mitted, ẏ is to wit, for the first yr. d. the Baylif ẏ maketh the arrest iiij. d e to the Jailour if the prisoner be cõmitted to him iiij d. And no Baylif of any libertie, nor Coroner by him self nor by other, by colour of his office shal take any thing for ẏ making of return or panel, e for the copy of a panel but iiij. d. And baylifs of liberties shall let out of prison all prisoers by them arrested or beeing in their keping by force of any bil, writ, or warrant in any action personall, or by force of any imprisonmẽt of trespasse, vpon reasonable sure fe hauing sufficient wiñ the Baylywick where they be let to bail to keep their day as in ẏ same places as the same bil, writ, or warrant shall require, those onely excepted, which be in warde vpon condemnation

nation or be excommunicate, or outlawed or arrested vpon sureties of the peace, and vagarants that refuse to serue. And that the said Baylifs shall not take any obligation of any person nor by any person being in their wards by course of the law, for any the causes aboue reherced, but in the name of their office and vpon the condition that the same persons shall appeer at the daies contained in the said writs, billes or warrãts, and in such places as they require. And if any Baylif take any obligation in any other forme, by coulour of his office it shalbe void, and that he shall take no more for ỹ making of any such obligation, warrant or precept by them to be made but iij.d. And if they do contrary to this ordinance in any point, for so doinge they shall render to the partie greued his damages treble, & shall forfait for euery time that they do the cõtrary xl.li. the one half whereof shal be to him that will sue in any of ỹ kings courts therfore &c. xiij. H. vj. cap. x. And Baylifs of liberties ought not to seise the goods of any person arrested by them for felony, before that they shalbe conuict or attainted of the same felonye ensuy-

ding to the law or else y^e same game be otherwise forfeited, upon paine to forfeit the double value of the goods so taken vnto the parties endamaged thereby to be sued by action of debt wherein no wager of law, essoin, nor protection shall in any wise be allowed to the defendaunt. 1. R. 2. chap. 6. 7. Explanatio. 11.

Bayliffs of liberties that be Jaylers and have the keeping of Jailes shall certifie y^e names of every prisoner in his Jaile that is there for felony, at the next general Jail delivery in every countie or liberties (where such Jail is) to be kalendred before the Justicers of the Jail delivery vpon paine to forfait for every default there recorded. 1. R. 2. Hen. 4. chap. 10.

All Bayliffs & other bed officers and every of them, giving or knowing any person using or exercising any vnlawful games contrary to the Statutes, shall hinder to chastise every such offender as often and there to remain in prison, without bail or mainprize, vntil such time as he be bound by obligation in such sum as by discretion of him that taketh the bond is meet reasonable, to the kings vse that he shall play no more. 33. H. 8. cap. 9.

All

All statutes made against Shirifs, the
Shirifs, Bayliffs, or other ministers
for making & returning of panels or Ju-
ries, or for due execucio of writs
or other precepts, or for taking of fees,
or for ꝑ reformation of extortions, or for a
ny other thing concerning their office &
all paines contained in euery such Sta-
tute shalbe extended to all stewards, bay-
liffs & other ministers and officers of li-
berties and franchises having return of
writs and execution therof, in like man-
ner as they extend to Shirifs, their un-
dershirifs, bailifs or other ministers, fa-
uing ꝑ for Bailifs & officers of liberties
may occupie their offices for as long time
as they shalbe giuen vnto thē. An. xxvj.
Henrici octaui. capitulo xxiij.

¶ The office of Eschеators.

He shall inquire of Escheators
if they haue duely executed
their office, & if they haue ta-
ken any more for doing ther-
of then they ought, or if they haue co
mitted any extortion or oppression
vnto ꝑ kings people by coulour of their
office. And therfore ye shall vnderstād ꝑ

no Escheator ought to medle or inquire for the king, but in case where the king of right ought to be intituled & haue the land or thing yͤ is found for him by the inquest, for if one holde of the king as of his Duchy of Lancaster by knights seruice & dye his heire being within age: the king to haue the warde of ỹ heire, & the land. And yet in that case if the Escheator finde it by office: he shall haue nothing for the finding therof, because the tenaunt held not of the king in chief, as of his crowne.

And therfore the king may entre & seise the lād and the heire without office, and may graūt it. In like maner if the escheator finde by office ỹ one dyed seised and held of other Lords and not of the king by knights seruice, and ỹ he is dead and his heire within age, the Escheator shall demaund nothing of right for finding of such an office, And so if he finde an office that one dyed seised of such a maner in fee and held of the king as of such an honor or Castel by knights seruice, & his heire within age, yet ought not the Escheator to haue any fee or duty for the finding of that office, and if he take any thing therfore it is extorcion, which is wel prouued

by

by the writ of (Diem clausit extremum) the words wherof be these, Quia Georgius Fen qui de nobis tenuit in capite die quo obiit, dic̃ clausit extremũ vt accepimus, ideo tibi precepimus, &c. Whereby it appeareth y̆ if one holde not of the king in chief y̆ escheator ought not to have the se of rl. s. for finding of y̆ office. And if he take it in that behalf, it is extortion.

And in assise if the defendant say that the lands are sesed into the kings handes by the Escheator, and the Escheator being there present & examined by the Justicers thereupon doth confesse that he hath sesed the lands into the kings hands, where in deed he hath not so done: in this case the Escheator doth wrong to the plaintif, which may have an action upon his case against the Escheator for his false retorn, & for that delay that he hath sustayned therowe that confession by saying to the king for a procedendo.

None shalbe Escheator unlesse he have sufficient lãd in those places where he is officer to answere to the king & his people, in case that any will complaine against them. Anno quarto. Of Escheators. 29. day. 14. Anno. 8. Edwardi. cap. 8.

The Escheats shalbe chosen euery
yeere as the Shyriffs shall be and by the
same persons that chose the Shyriffs.
And that no Escheator shall abide in his
office above one yeere. An. xviij. Edward
the iij. capitulo [illegible]

The Escheators shall not doo iustice in
Bishoprikes, and other places during the
vacation of them, neither shall set Juries
vpon, nor chase in parke or warren nor
vse his power, or cause fishings, nor shall
take no fines of any tenements for nor
bond, but shall cause them to be kept and
saued without doing damage or any ma-
ner of oppression. An. xviij. Edward iij.

Also by this Statute it appeareth that it
appertaineth to the office of an Escheator
to seise the temporalities of Archbishop-
ricks, bishopricks, & abbayes of the kings
foundation, during the vacation of the
same, and take the profits, and to answer
for them to the king in y Exchequer. Also
herein there is an other statute made in the
same yere the effect whereof is, that if the
Deane and Chap. doth or suppose will
take temporalities to farme, paying first
due seruices to y same Escheators in the
Exchequer, that they shall haue the before

any

any other, shall by an other Statute made the same year, cap quinto, that Chancellour, Treasurer, & Chiefe Justice, taking to them such other of the Counsel as they shall think good, shall have the vacations of Archbishopricks, Bishopricks, Abbeys, Priories and other houses of religion & spirituall benefices whatsoever belonging to the King, the Temporalties of Bishopricks, Priories, Abbeys & Houses of Religion, & Convent at a certain rent to pay by the yeare, quarter or month during the vacations as they shall think best, without making fine. And neither the Escheator, nor any other officer shall seek cause or matter to enter or to meddle or do any thing in prejudice of the Church, but to the King & his heires, knights fees, advowsons, escheats, wardes, marriages, reliefes, services to the said fees belonging. In witness whereof the King caused his letters patents to be made three of date at Westm. the eight day of May the year above mentioned, whereby it appeareth the authority aforesaid to make leases was given to the Chancelor & the Treasurer by the Kings letters patents

[illegible]

[illegible]

must make account in the Exchequer after
this maner, viz of lands and tenements
whereof profit ariseth from time to time
throughout the yeer as of spilling, perbagis
Colpleus, profits of courts, or such other
like profits, they shall be bounden to
answer the king for the rate & value of the
thing according to the olde course of the
Exchequer. And touching auncient fermes
and rents, that are to be paid at certain
termes as rent seck, & rent service wher
of no profit ariseth until the day of pay-
ment, such rents & farmes shalbe paide
unto them by the liuery thereof out of the
kings hand at the termes of payment of
the said farmes & rents next following such
liuery made, as well for the time past as
time to come by big. Ed. ij. cap. viij.

The king and his progenitors haue
been seised as of fee tailes of diuers, time
out of minde, that is as well of lands and
possessions as of goods & chattels. And by
vertue thereof th'officers or their de-
puties haue taken manylandes and tenements
as forfaited to the king, surmising trea-
son in some parties being dead at the time
of the seisure, which neuer were attainted
in their

thing

thing such forfaitures that fel in ȳ time of his grandfather, or before that in time as an inquest therof shalbe returned into the Chancery by any Escheator or other that hath power to inquire therof, the tenant shall not be put out of possession, but shalbe warned by a Scire facias, to appear at a certain day for to answere vnto the same if he will, and if no such forfaitour be found the Kings hand shalbe closed, so that in all other cases of forfaitures of treason by persons deceased nor attainted, nor iudged in their liues, their heires nor land, tenant, shall not be challenged nor impeached of any other forfaitures, but if they only that haue been iudged in time past vpon the death of certain persons by presentment in eire in the Kings bench as of felons of the king ȳ other. And therfore it seemeth ȳ if one mowne war against the king in his realme, & is slain in the same, then the Escheator may seke the lands & tenements as forfaiture of war in any other enquiry vpon diuers therof.

Euery Escheator must take his oth vpon his office, of good & lawful men sufficient of inheritaunce, & of good name & fame, & such as be not vnder the

bounde. And the inquests shalbe indented betwen the escheator & the iurours & if he other wise do they shalbe pold and they shalbe take in good tolons vpon it. This writte may be taken to the escheators office, wherby any alienacion or oth feasen as that the heir is with age, & the lande holde of the king in chef is found, lands feased into the kings hands by reason of warde shalbe kept from waste And the escheator shall come no ferr of be prison, fith nor other thing, but shall answere the king of the issues and profits arising of the said lands without waste. And if he do otherwise, then to make fine at the kings will, and forme treble damages at the suite of the heir as well within age as of full age.

And if he be within age his ancestor shall have the suite for him, and during the time of that, it shalbe in respondentia of him. Concerning other lands feased into the kings hands by inquest of office, by th'escheator for lacking of distraynes, and punishment shall be had by writs against the escheator. And if any make claime to lands so seased, the Chirographer shall [illegible]

in one moneth after such leaser, so that a writ be delivered to hi to certify y cause of the leaser, and there shall the party be heard to transcribe the office, or other thing to shew his right. And the Chancelour upon his owne discretion (if he see cause) may leave the lands to the tenaunt paying to the king the value, if it belong to the king so that he finde sureties, that he shall be no waste done till he be discharged.

And the Escheators shall take their inquests in good townes, & by themself men openly by mouthes to be made between the Escheators & them of the quest. And if he do contrary to this ordinance: then to have two years imprisonment, and further to make fine at the kings pleasure. Anno xxvij. Ed. iij. capitulo. xvij.

None shall be Escheator if he have not xl. li. land at the least clearely in fee, & that they execute their office in proper person.

And if he do other wise: then to be put out, whereby it appeareth that the sheriffe & escheator cannot inquire nor have offices. An. xij. Edwardi. iij. capitulo. ij.

Escheators nor Commissioners shall not take inquests, but by those y be impanelled and returned to the sheriff, & if they

do other wise and be convict by examinacion or otherwise at the sute of the partie or of the king or any other person that will sue, they shall intur the pain of xl.li. the moitie to him at whose sute they shal be convict. And that no lands seased into the kings hāds shalbe let to farme by the Chauncelour, vntil the inquisi and ther-of be returned into the Chancery, & by one moneth after the sic return, except it be to the party greeued which was put out of thole lands by the inquestes, and will offer to trauerse them, & shew good euidence & finde sufficient suretie to sue his trauerse with effect; & to pay to the king the yerly value of the the lands if it happen tobe discussed for ȳ king. And if any letters patents of any lands or tenamēts to the cōtrary be made to any other person then to him y offereth to traverse or be let to farme, vnto a moneth next to the said moneth of return they shalbe voide & voyde for euer. Any. H. vi. cap. xix. Escheators, and Commissioners shall return the inquestes taken before them into the Chancery or in the Exchequer with in a moneth next after ȳ taking of the same vpon paine of xx.li. theame moitie to

the king, the other to him that wil sue.
Anno. viij. Hen. vj. cap. xiij.

And if any Escheator take any office before him, and do not return the same into the Chaūcery or th'exchaker within y moneth next after the taking therof he shall incurre the pain of forty pound forfait by the statute made Anno. viij. Henrici. vj. and further shalbe bound to paye to the king as much as he is endamaged by the not returning of the same. And that the Chauncelour of England calling to him the Treasurer of England, may deare such farmes for the due execution of the said statute. Neuerthelesse it appereth that the same statute giueth but xx. pound of forfait against the Escheator or Commissioner. Therfore serch for the true recorde of both the statutes. Anno viij. Hen. vj. capitulo. vij.

Escheators must take their inquest of office, by vertue of y writs of (de mero mixto exercitio) and other writs within one moneth after the receit of the same, and that such inquests be take in good townes and open places. And y none of them privily nor openly by him self or by other take any thing for the execution of such

writs

writs in one entry abouethe sume of vj.
s. viij. d. or xxj. s. iij. d. or under with his
labour & his entry. In ꝓ the same that he
hath take altogither excede not aboue vj.
s. for the execution of any such writ in
one entry. And if he doo contrary to the
premisses then to forfait the sum of xl. li.
the moitie to him ꝓ wil sue for the king
& him self. An. xvij. Hen. vj. cap. xvij.

Name shalbe Escheators, if he haue
not lands or tenemẽts to the value of xx.
pounde within the countye for terme of
life, nor in the countie where he is esche-
ator. Nor no Escheator shal let his office
to farme, nor make deputy (other then he
will at his peril answer for) whose name
he must certifie by his letters pattets to
the Treasurer & Barons of the Exchequer
for the time being, viij. xx. dayes after
such deputation made. And that no such
deputy take vpon him to occupy in ꝓ said
office vnlesse the Escheator haue lands,
tenements or rents, to the yerly value
of xx. li. as before is said. And if any doo
contrary to the premisses or any of thẽ
then to forfait for euery default xl. li. the
one moitie to him that wil sue, and the o-
ther to the vse of the Kings house by and

on of bet, where no longer delay ought
by protection shall be. viij. H. iij. cap. ij.

No Sheriff, Escheator, nor other perso
shall take or take the goods of any person
arrested or imprisoned for holding before
the same person so arrested or imprisoned
be found or attainted of the same felony
according to the law of England, or that
the same goods shall be otherwise forfait-
ted upon pain to forfait the double value
of the goods taken to the partie damnified
taking therfore by action of det, where no
longer of law, essoin nor protection shall
lye. Anno. j. R. ij. cap. iij.

If any Escheator or Commissioned put
into any of the Kings courts any inquisi-
tion or office concerning land or tenements
or other hereditaments not found nor pro-
vided by the othes of twelue men, & in-
quired and by them sealed, the to forfait
for every such offence returned, and put
into any of the kings courts, one C.li. to
the party greued. Anno. xiij. H. viij. cap. ij.

No Escheator nor other commissioner
shall use by vertue of any commission to
inquire of lands & tenements, except he
have lands or tenaments or hereditamēts
to the yerely value of xl. marks, other

all

all charges vpon paine of xx. pounds.

The Escheators and Commissioners shalbe discharged by their othes, ỳ they may not dispend xl. marke ouer all charges, and that vpon peaces made against them out of th'escheker. Th'escheators & Commissioners shal sit in open places, and shall suffer euery person to giue euidence openly in their presence to the inquest taken before said vpon paine of xx. li.

The Jury shall receiue the counterpaine of the Indenture that shall be presented inspected and sealed by the Escheator, commissioner, and to rest in the possessiõ of ỳ first man that was sworne in the same Jury vpon paine of euery perso that shal be sworne xx.s.

And euery Escheator and Commissioner after ỳ the Jury is sworn & redy to giue their verdit, and offer to present the same ỳ the same Escheators or Commissioners or parte of them shall receiue the same verdit without further delay, vpon paine of x.li. and deliuer the counterpaine of the same Indenture to the Jury in court before said vpon the same paine.

And if the Clark of the petie bag, or his deputie will not receiue such offices

into the Exchequer the penalty of ten pounds within fifteen days after it be received or ought to be received, he to forfeit for every such default xl. li. And the Commissioner or Escheator to be discharged of the penalty of x.l. committed by the statute for not returning of the same office or inquisition within one moneth.

The like law & penalty to be against the officers to the King's Escheator which ought to receive such inquisition for refusing to receive the. And the Commissioners and Escheators thus discharged of the penalty for not returning of the same inquisition, so made by the said Escheators or Commissioners at any time after the moneth of such office before the Term or before any of them with an oyer thereof then next ensuing, returned the said office into the Chancery or Exchequer as the case shall require. And the Clark of the same may to certifie the transcript of every such office taken before any Commissioner or Escheator, into the Exchequer the next Term following the receit thereof upon pain of x.l. for every default. And no man to be compelled to answer for the office of Escheator, by any patent after the

whole year. & he that is once escheator shall not be escheator eft in whole, till yere & euer after a nigh whole yere exped.

If any escheator execute his office by reason of any patent after y time of any such patent made to be made escheator aforesaid yeres after, then after the last whole yere ended it shall be lawful to the party grieued shall have his recouery of euery the said escheatour of the action of his iniury by his writ of false iudgment, which writ shall be graunted to him without any fine to be made for the same, & the escheatour shall answere for his doings in such case before the iustices of the common bench, & the iustices of the same bench shall haue power to heare & determine the same writ, & to reuerse the iudgment if it be erroneous, & to restore the party grieued to his former estate, as they may do in other cases of false iudgment.

And if the escheator or his clerke or any other person by the kings commandement or by reason of any office aforesaid, take any thing for the execution of any writ or precept, or for any other thing touching his office, otherwise than he ought to do by reason of such precepte or office aforesaid, he shall forfeit to the party grieued ten times so much as he so shall take, & shall make fine at the kings will for his trespas.

And it is ordained that the escheator shall not make any deputy, but such as shall be named to the iustices of the one bench or of the other, & sworne before the same iustices, & that the same deputies shall be resident vpon their offices, & that they shall not do any thing touching their offices, but in the name of their principall, & that their principall shall answere for the misdoings of their deputies, & the deputies shall be punished by their principall, or by the iustices aforesaid, at the discretion of the same iustices.

and

And if any take a felon in the town and bring him to the Constable, he ought to commit him to the Jail: the Constables office is to every such thief, and to cause other of the town to aid and assist him in so doing.

Also note that the Constables were ordained for two intents: the one to this end, that they should keep the peace, and also to repress felons, to take surety by obligation of such persons as they shall have making of frayes.

It appertaineth to the office of the chief Constable of England to have conusance of pleas of armes and contracts touching deeds of armes of war out of the realme, and in like manner of things touching armes within the realme which cannot be determined by the common law, as it appeareth clearly by the statute made the xiij. yer of Richard. ij. cap. ij.

Also it appeareth by a statute made. 2. no patens. 6. iij. capitulo xiij. that all appeales to be made of things done out of the realme of England shall be tried and determined before the Constable, & Marshall of England for the time being.

Also when battail is joyned in writ of right or in appeal, that shalbe determined before the Constable & marshall, how be it

the Justices must see the battail be ma-
tayne & they be properly Judges thereof &
not the Constable nor the Marshall.

And the Constables have many other au-
thorities as well by ye common law, as pur
statutes made which you may in these.

Anno 19. Edwardi iii. It is law that
gardeners of the peace at ye common law
may inquire of congregations, & unlaw-
ful assemblies, & of riotous in fayre but
not of entre with force. But now by the
statute if any entre in force, or do riotous
ly in fayre, or entre peaceably, & keep pos-
session in fayre, ye Justices of peace may
make restitution to ye party, & put him in
possession by their writ directed to ye Sheriff

Constables in the townes where they
bene office may arrest men ye go or ryde
armed in fayres, or markets by day or by
night, & take their armour as forfait to
the king, imprison them at the kings
pleasure 2 H. 6. 11. at Southampton.

The kings purueyours ought to make
their purueyance for the kings house, by
the Constable, & foure honest men of the
townes where such purueyannce shalbe
made about shetning. And in prefect of
the Constable, tailes shalbe made & sealed

with

[illegible] the soules of the fathers, perteyne to
the fathers & the parties of whome they
gone be taken. And if any [illegible]
the [illegible] other tymes it shall [illegible]
[illegible]

[illegible]

[illegible]

not aboue xiid. And the Iustices at ye
ye time that they shall come into the
Cite shall inquire & determine the
Constables whether they haue duely
and lawfull returned, & haue contynued
ought for any gift, procurement or
&c. and shall punishe them by fine and
ransome if they be found guilty, &c.
Iuratores testat. [illegible]

Constables of townes where are
lours of vagabondes rogues
to examin the behauiour
finde forth of such good behauiour
sufficient maintenance
that any default be found in
lours and vagabondes
finde no sureties, then to be sent
next Iaile there to remain
ming of the Iustices of Iaile
which haue authoritie to
cyse and punishment as they shall think
best to be done by the law. Anno xxiiii.
H. viii. cap. x. & xxiiii. primo.

Constables of townes may arrest any
seruant, labourer comming to y townes
from any place vagarat, unless he haue
a letter containing the cause of his going
and the time of his return, under y hand

[illegible]

shall chuse to gather, congregate & assemble
them in the Custody of the honest men of y
Parishes, in general sute, & the by warrant,
according to the purport of the Statutes
of Winton. And y Constables may put him
in stocks, & keep him until he have found
surety to return to his service, or to serue
in the town from whence he cās until he
have a letter to departe upon reasonable. 2 Ed. vi. Ri. secundi cap: iiij.

Constables have power to arrest ser-
uants & labourers that wear about them
dagger, or knife, and to seale the
same weapons as forfeit & the to kep bi
til the sessions of y Justicers of peace be-
fore whom they shall praise such weapons
were the names of them that bare them,
& where they trauail in y contry in their
seuerall wages xiij. Ri. ij. cap. vi.

Officers and other the Kings ministers
may take the power of the contry to ap-
prehend all rebellious & riotous in outrageous
number, & to commit them to prison. 2 Ed.
vi. Ri. ij. cap. viij. It is meth by these
statutes (the Kings ministers) that Con-
stables & Tithingmen, have power to ap-
prehend all such as shall be found in

rers

purueyors for the king e Queen) which
takes any vitail or cariage against ȳ will
of the owners, ȳ to commit ȳe to the next
gaile of the kings where to remain without
bail or mainprise until they have deliuer-
ed all the said vitailes or cariages, and
other things so taken. And if the Con-
stables do otherwise when they be re-
quired: they shall forfait xx. li. The
writte to be to the partie from whome ȳ
goods were taken, to be recouered by acti
on of det, wherin the defendant shall not
wage his law. An. xvij. E. iij. cap. xiij.
Clothiers shall pay to carders, spinners
and other labourers lawful money for
their wages, & carders, fullers and other
labourers shall do their duty upon pain
of double damages. And the Constables
of the hundred or Constable may hier &
determine the complaints of euery such
clothier, and labourer, as wel for pay-
ment of the said wages of labourers, as
of the said forfaitures & damages by due
examination of the parties in ȳ behalf,
and further for ȳ more payment of ȳe said
duties, forfaitures & damages to distrein
ȳe refusers in the ouert sale of the same
vitaile, until ȳe said duties, forfaits &

damages

damages, to commit the trespassours to the next gaol in the same county, until the said duties, forfeitures, and damages be duely payed unto the said labourers of clothiers. xiii. Eliz. iij. cap. j.

Euery high Constable or petty constable shall take or cause to be taken all vagabonds, idle people and disposed persons lying disorderly, & set them in y stocks and there to remain by one day and one night, and to haue none other sustenance, but bread and water, & then to avoid the town where they were taken, into such place as they were borne, or where they last dwelled by y space of iij. yeres. And if at any time they be taken in like default, not they to be set in the stocks by xxiiij houres & iij. nights with like diet. 27. Hen. viij. cap. xxv.

Constables and other ben officers and euery of them finding or knowing any person doing or exercising any vnlawful games, as tennis play, bowles, cloish and all other vnlawful games prohibited by many statutes, shall haue full power to comit euery such offender to warde there to remaine without bail or mainprise, til such time he or they so offending be

bound by obligation to the kings vse in such sum as by the discretion of the same officer shalbe thought resonable, & they from thence forth shall not vse any vnlawful games vj. Hen. viij. cap. ij.

For wages for water men, & for their barges or botes, or for a barge from London to Graues end iij. s. viij.d. euery person and his male y. d. From London to Erith, Grenwhich, Grastorock or Purflet vij. d. or els for euery person, and his fardle a j. d. so it passe not vij. d. From London to Wolwich viij. d. for a bote or barge, & for y. is the tide bote, or els for euery person ob. From London to Grenwhich iij. d. or els a ob. for euery person and his fardle. From London bridge, Saint Mary Overyes or Paules wharf, to Westminster iij. d. or els euery person a ob. From the black Fryers, Bridewel & the Temple, to Westminster or Lambeth. y. d. with their males, or els euery person ob. so that it amount to ij. d. From Westminster to Lambeth or Saigate a ob. for a bote. From London to Horlake vij. d. or els euery person ij. d. & his male. And from those places abowe named to London for a bote or barge like sumes to be paid. And

those

thyse articles tobe kept vpon pain to forfait treble ẏ fare. And Bailifs, Constables & other the kings officers nere adioynig to the ferves vpon complaint to the made or to any of them, by them ẏ be greued in that behalf, may arrest them, and commit the to warde for their mildemenour & to make fine for ẏ same by .iij. .viij.c. by

By the Statute made An. rrij. H. viij. how impotent persons shalbe ordered to beg and haue their liuing. It is ordained that if any impotent person authorised to beg vse beg in any other place then with in the limits to him assigned: then ẏ Constables & all other the kings officers shal by their discretion punish al such persõs by imprisonmẽt in the stocks by ẏ space of two dayes & two nights, giuing them but onely Bread and water, and after that to cause euery such persõ tobe sworn to returne again without delay, to the hundreth, Rape, Little, Borough, town, parish or franchise wherin they be autorised to beg in.

And if any impotent person be vagarant & go a begging & haue no such letter vnder seal as is specified by this statute: then the Constables and all other inhabi

raunts within such townes or parish shal cause euery such begger to be taken and brought to the next Justicer of peace or high Constable of the hondred. And ther vpon ye said Justicers of peace or high constable shall commaund the said Constables & inhabitat of ye town or parish wher she shall bring before him any such begger, ye they shal strip him naked from the middle vpwarde, & cause him tobe whipped within the towne where he was taken, or wher the same Justicers of peace or high Constable shall appoint. And if not: then to commaund such begger to be set in the stocks in the same town or parish where he was taken by the space of three dales and three nights, to haue only bread & water, and therupon the said Justicers or high Constable shall limit a place to the same begger to beg in. And to giue him a letter vnder seal, in forme before limited, and to sweare him to repair thither immediatly after his punishment executed.

And all other persons being whole and mighty in body ye do beg, ye Constable of the Hondred, rape or wapontake, wherin such persons shalbe taken, and the

the Iusticers of peace or high Constable before whome they shalbe brought, by their discretion shall cause the to be brought to such places as they think conuenient, & ther to be whipped naked through the town or market, & then to be sworne to return to the place where he was born or where he last dwelled by the space of iij. yers, and to haue a letter vnder the seale witnessing y he hath ben punished.

Also all persons y abiure to any Sanctuary within this Realme shalbe conueied thereto by the Constables of euery towne ship, that is from towne to towne, til that he come into that same Sanctuary vnto the which he is abiured, in like maner & form as persons y had abiured this Realme should haue ben conueied to the next port of the sea from that place where they had abiured vnto the same porte by course of the common law, before the making of this Statute. 27. H. viij. cap. xiij.

Euery farmer or owner of lands, tenements or hereditamets, wherof the yerly value or rent amounteth to x. pounds which ought to the, shall pay to euery person which for his diligence and labour at his owne cost taketh any ouer

Crowes, Rookes or Choughs vpō the same lands, tenaments, or hereditaments of the yeerly value aforelaid vj. pence for every vj. olde Crowes, Rookes or choughs and a peny for vj. and a halfpeny for iij. olde Crowes, Rookes or Choughs. And if any Farmer or owner refuse to pay the said money according as is aforelaid: the vpon a complaint and proof made therof to any Justicer of peace or high Constable, the same Justicer or high Constable shall cause the same money to be leuied by distresse of the goods and Cattels of euery such Farmer or occupier of the said lands and tenaments Anno. xiiij. Henrici viij. cap. v.

Where it is ordained by a Statute made in the vij. yeere of Richard the second cap. iij. that he which espieth & prouseth defaults in any clothes, put to sale contrary to the assise therof, ordained touching clothes, & contrary to the said statutes should haue the third parte of euery such cloth bearing deceitfulnes for his labour by the deliuery of the Aulnetor, if they be present or els of the Aulnetor, Fayles and Marketers, or Stallages, Bailifs of Cities & Boroughs where they be found

clothes shalbe found, by Indenture be-
tween them to be made, the which shalbe
deliuered euery yeere in the Escheker at
the feast of S. Michael by them that shal
make such deliuery, to the intēt to charg
the Auntiquaires & coilours, by whose such
maner of defaute ought to be serched and
amended. An. 6y. Ri. y. cap. ix.

If any person Ship merchandise of
Staple in places suspect adioyning to the
Costs of the water, and maketh no In-
dentures therof betweene him and the
Mayor or Constable of the towne, they
shalbe forfait and the king shall haue the
moitie and the Lord of the town, and he
that found sealed such wares shall haue
the other moitie. And it is lawful for e-
uery person to serch in these causes. An.
xiiij. Henrici. vj. cap. v.

It is ordained that a horsman shall
paye for passage at Douer iij. s. and a
footman vi. d. And the Constable of Do-
uer to punish them that do contrary at
the sute of the partie that wil complaint
and shall do him right in that behalf. An.
iiij. Ed. iij. cap. vij.

To declare plainly the office of a Coroner, it appereth by the statute of Magna carta in the xvij. cap. ỹ the Coroner ought to holde any plees of the Crowne. But Bracton declareth the office of a Coroner in forme following. First that in every county Coroners shall be the principall conservators of ỹ peace to here record of all ỹ pleas of ỹ crowne of abiurations, utlagaries & such like. And the coroners shal make an oth before the Sheriffs in the full county ỹ they shal make their inquests faithfully, & all that to the coroners office appertaineth lawfully and without asking allowance. And if any finding chaunce, or treasure be found or any woman ravished, or prison broke or any man wounded nigh unto death, the coroner so soon as he shall knowe thereof shall send to the Shirifs & Baylifs of the places (where such aduenture shal happē) to cause to come before him at a certain day at the places (wher such chaūce befal) foure of the next townships and other if need be, by whose he shal inquire ỹ verity & shal cōpel the townshipe to swear upon the Saints to shew the trueth of those articles ỹ the[illegible] of them. The

shall the Coroner and the Jurours viewe the body, the woundes, and the strokes, and immediatly after such viewe had the body shalbe buryed. And if the Coroner finde the body buried before his comming he shall receyue the same, nevertheless he shal not omit to digge vp the body and make it to be vewed openly of the townes. And those Jurours, which haue been somonded some not to the inquiries of Coroners shalbe amerced at the comming of the Justicers at the first assises in those countries so y such defaults be entred in y Coroners role for y the coroner shal haue no power to amercy no man for any default. Also whē the inquest is taken the Coroner must inquire if the person were slain by felony or by misadventure, and whether y felony was done within or without, & all the circumstance. And after it shalbe inquired who was present at the deed & who be culpable of the same for accessaries, counsel, or receipt of such felonies: wittingly. Also if the coroner haue any suspition of y first inquest for collusion of y truth, so y it be necessary to inquire better by other men that be inquirers vpon the Pinnes, & all they of the

hap

yap to be inuited, ỹ shirif shal take in al the haste if they may be soũd, & if not the cozoner shal inquire who they be, & who hath wozawen them selues foz ỹ occasiõ & the shirif shal forthwith cause their lands to be seased & afterwards all their goods and cause thẽ tobe prised by lawful inquest, & the goods with the prices shalbe inrolled in the cozoners role, & shalbe deliuered to the toiwalshyp foz to be answerable therfoze vnto the king, in case ỹ parties so inuited flie, & wil not stand to right.

And after they shall inquire if he that is inuited hath euer finde sureties to keep the kings peace, & the names of his mainpernours which he shall enter into his role. And if the plaintif wil sue appeal within fourtene & the day, then shal he finde two sufficiẽt pledges to the shirif of the cõtie distrainable within the same to sue his appeal according to the law of the land. And then shal the Cozoner cause the appeale to be entred, with the names of ỹ pledges, & after it shalbe cõmanded vnto the Sergeant of the Tõtie wher such felonies are done (which as we sheweth is the shirif oz his bailif errant) that he haue the body at the next Tourne. And if the

Sergeant

Sheriff at return of the second county that he cannot finde them, the shal it be awarded ỹ the principall being appealed of ỹ deed, shalbe solemnly called to stand right touching the same felony, & so shalbe called from county to county until they come or be outlawed, and if the plaintif make default at any counties then shall the exigent passe until the coming of the Justicers of the kings bench or the Justicers in Eyre in the county. And if the principal be outlawed, ỹ exigents shal go forth immediatly against accessaries. And when they shalbe outlawed, ỹ they are or ful-petered, ỹ Coroner shall inquire at whose finding such a fugitive hath been, & according unto the verdit he shall inrole it, & then inquire of ỹ lands & goods of the fugitive. And if they appeer before outlary: they shalbe replevable. And if the felony were done out of a house: ỹ Coroner shall inquire who found ỹ body first, & he shalbe taken & let go under sureties. And ỹ no Sessour be removed by challenge of any party. Neither shall any Coroner take any thing by him self or by other, nay suffer the same by his Clerk for doing his office. And if it be found that he hath done

misadventure,

misaduenture, then shall it be inquired what misaduenture, as if it be found that he fel from a mil it shalbe inquired what things were the mouing therof and how much they be worth, & so if he fel out of a Cart, and if one fal out of a ship, nothing shalbe iudged the cause of his death but the ship, & the things that moue therin and not the merchandise lying therin.

And the Coroners ought to receiue the confession of felons made, by prisoners in presence of ỳ Shirif who shalbe his controllour in all his office, and such confession, he shall cause to be inrolled, & when any person fleeth to a Church, so soon as ỳ Coroner shal haue knowledge therof, he shall send to the bayliff of the place, that he shal cause to come before him by a certain day the neighbours, and foure of the next townships adioyning to the Church and in their presence shall receiue ỳ confession of the felon. And if the Fugitiue pray to abiure the Realme: the Coroner shal do ỳ the which to his office belongeth. Also he shal enquire of rape, and all the circumstance, the appeales wherof with all of her appeales of robary, felony and such like, he shall cause to be entred

in

in his role.

Also they shal inquire of treasure founden of wrecks of the Sea & Sturgions, and of Whales taken, & who were takers, whose names they shal inrole & let them go by mainprise. And such things as shal happen to be founden they shal safely keep to the kings vse. And the Shirifs & bayliffs shalbe alwaise attendaunt vpon the and at their commaundements.

It is ordained that throughout all the Counties of England there be chosen sufficient Cozoners of the more sage & lawful knights that may best to the same office intend, which lawfully shall attache and present pleas of Cozon as well of appeales as of things to the same office, belonging. And that no Cozoner demaund ne take any thing for doing his office, vpon paine of a grieuous forfaiture to ỹ king. j. Welk. cap. xij. But now by the Statute made An. j. Hen. viij. cap. j. the Cozoner shall haue xij s. xij d. of ỹ good of ỹ murderer, & if the murder be committed in the day time & the murderer escape ỹ Cozoner shall haue xij. s. xij. d. for ỹ escape vpon ỹ township. Also it appeareth by a Statute made in the xij. yeare of E. the first

which

which is called ꝑ statute of Excester, vn-
der what ꝛder inquisitiõ shalbe maye of
the defaults of Cꝛoziers be they alliue ꝛ
dead, where he shall se the charge ꝑ shal
be giuen to the inquests ꝑ shalbe charged
to inquire of Cꝛoziers, in which charge
it appereth further what the Cꝛozier
ought to do by his office, which charge
hereinseth.

¶ The fourme of the charge to inquire of
the defaults of Cꝛoziers according
to the statute of Excester.

1. First they shal inquire if the Cꝛo-
zier go in proper person to do his
office ꝛ not, wherby it appereth
that he cannot make a deputie.

2. Also if he haue sent any other to do
his office, what he was, and how often
and about what aduentures.

3. Also if he came at euery time of his
owne goodwill without delay, ꝛ that he
ꝛ his Clark haue take any thing fꝛ the
more spedy execuring of their office. 4.
Also if he tary ꝛ delay to ꝑ intent to haue
any reward after ꝑ he hath knowledge of
the trueth after ꝑ he is sent vnto, how of-
te, & in what place, & vnder what maner.

5. Also if the goods of felons taken by
him

him he deliuered to the lawes to kepe by a lawfull inquest as they ought to be enrolled in his record or not.

6. Also if the Coroner take any thing of any person for to take a false inquest for to distroy the right of any, or to praise the goods for lesse then they be worth.

7. Also if he enter any thing in his rolles other wise the it was giuen by ỹ inquest and what thing he or his Clark took therfore, & how often, and for what thing he or his Clark took such thing. 8. Also if he or his Clark took of the goods that were praised and praised them at lesse then they entred them in their rolles. 9. Also if the prises were not assessed by the inquest.

10. Also if ỹ townships were falsly charged & of what thing. 11. Also if any appeales were falsly inrolled or imbeseled out of ỹ rolles after ỹ they were entred. 12. Also if he refuse to take any plaint of appeales for pouerty, hate or other like cause, & what he took for ỹ occasion, and of whome & how much. 13. Also if he or his Clark haue take aught of goods of ỹ partie ỹ is dead vpō whose body he took view what thing it was, and how often he so did. 14. Also if he haue entred all the attachments

enchmentes belonging to his office in due
manner, or if he haue made any attache-
mēt for to greue any person or to take of
his goode, enter it into his role. Also
if he haue not don his office at all ti-
mes at his owne costes without taking
ought therfore. Also if he haue conce-
led ought in any Court or procedinge to be
mayntened to the greuance of any person
and if he loued ayen to inquire how often
and for what reward & for whome and
in what case he so did. Also all the at-
tachmentes, hanging, and wilfully exete-
ued be pursued by him as he ought to do
for the king or for the partye, or cause to
be pursued.

Also if the goodes of such as hanged
the townes where they were for suspicion
of felony, were attached by him & praised
by inquest, and willingly accepting ther-
unto & deliuered into the townes where
those goodes were founde to keep safely vn-
til the comming of the Justices in eire
Also if he lacke appeales or other
plaints to him made to be couered away
vndefeted or raced out of the roles, & if
he take ought for such faultes, of whome
how much, and how many times.

Also

20. Also if there were any treasure founde in the time of the said Cozoner in what, and what maner of treasure, and how much, and in whose hands it resteth, and by whose deliueraunce.

This is ỳ whole charge that Justicers in Eire must giue foꝛ inquiry of Cozoners & of their defaults. Furthermoze Justicers in Eire may impanel other inquests of xxiiij. persons of the body of the Countie to inquire of the concelement of the first inquests which did inquire of the defaults of the Cozoners.

When Cozoners haue any knowledge from the Kings Bayliffes oꝛ other honest men of the Cuntry foꝛ to go vnto such as be slain oꝛ suddenly dead oꝛ wounded, oꝛ breakers of houses, oꝛ to any place where treasure is said to be found: they must go forthwith, & commaund foure, fiue oꝛ sixe of the next townships, that they be afoze them at such a day and place, and when they shall come, then the Cozoner must make inquiry therof in foꝛme following.

First if the person were slain in house oꝛ in feeld, in bed oꝛ at the tauern. &c. and who be giltie therof, either of ỳ bed oꝛ to sent, &c. And if any be in the court which were

were there, so ỹ they can speak or haue any discretion, & they that be founden giltie by inquest shalbe taken and deliuered to the Shirif. And such as were present, and be not giltie shalbe attached vntil the comming of the Justicers & their names shalbe written in the Coroners role.

If any be suddainly slain in fields or the woods, it is first to be seene whether he were slain there or not, & if hee were not slain there, then as nere as they can they shall follow the steps of him that brought the body thither with horse or carts if it be possible in case ỹ murderer be knowen and if he be a straunger: then shall they inquire wher he was lodgd ỹ night before. And touching such as shalbe found giltie: the Coroner shall go immediatly to their houses & inquire what goods & lands they haue, & how much they be worth by the yer. But by the statute of King Richard the iij. it is ordained that the lands and goods of such persons shall not be seased vntil they be attainted or otherwise conuict by course of the law. And these things thus being enquired: the bodyes shall be buryed incontinent.

Moreouer they muſt inquire of such as

be

be drowned or dead suddainly, and whether they were drowned, or strangled or slain, and they must inquire who weare the finders, that they may be attached, also they must veiw the legth, breadth, and depnes of all wounds, and must inquire with what weapons and in what place of ỹ body. And if the woũd be mortall: the offendour shalbe kept until it be knowen whether the partie may be whole. And if ỹ woũd be great thẽ he shalnot be let go, under foure, or six pledges, & if it be but little thẽ iij. pledges shall suffice. Also they must inquire of horse, carts, and other things wherby any was slain, that they may be praysed, and deliuered. vt. s.

Also they shall inquire of wrecks of the Sea, and if any lay hand vpon it, he shall be attached by good pledges, & the wreck shall be prised and deliuered to the next townships. Furthermore hue and cry shall be leuyed vpon all manslaughters, burglaries, as whẽ any is slain or in peril of death if it may be. And all shall folowe such hue and cry if they be able, and they that do not: shall be attached to apper before the Justicers &c.

Also if any person flee vnto the Church

or other hallowed place, for murder, felony or such like offence, the Coroner upon knowledge therof shall come thither and take his confession, and if he will abiure the Realme, ꝑ Coroner shall receiue his abiuratiō, which he shall say in this forme.

¶ The forme of abiuration.

HEar you this Sir Coronet ꝑ I. A. B. am a theef of one horse or other like thing, or a manslear of one man or mo, and a felon of our Soueraign lord king Henry the viij. And forasmuch as I haue committed many euil deeds, and felonies in this Realme: I bear abiure his land for euer, and shall make as much hast as I can to ꝑ haue of D. which you haue assigned me, & I shal not depart out of the high way, & if I do: I will that I be taken as a theef and felō of the king. And further I shall diligetly seek my passage at the place aboue limited, & I shall not abide there any longer the one ebb & one flood if I may haue passage. And if I can haue no passage in so much space, I shall go euery day into the Sea, vp to my knees and assay if I can get ouer. And if I cānot so do within xl. dayes continuing

I

I shall yéeld my self again to the Church as the king's théef and felon. So help me God and holydome.

Neuertheleſſe it ſéemeth that when any perſon ſhall abiure, him behoueth to ſhew ẏ place, the day and yéer, & in what couńty he did the felony oz murder, which cõfeſſion ſhalbe as an inditement in effect notwithſtanding if he dw it not but only as befoze is expzeſſed it is gwd inough be cauſe he is attainted befoze by his abiuration. Yotw beit this maner of abiuration is put out of the ſtatute of Henry th'eight made the xij. yéer of his reign, wherby it is ozdained that ſuch as wil abiure ſhall make their abiuratiõ frõ all their liberty vnto ſome ſanctuary within this realme there to remain during their liues, and ſhalbe burned in ẏ right hand wt this letter A. And if ſuch perſon afterwarde be take out of Sanctuary he ſhalbe ozdzed in like maner as one ẏ had bẽn abiured the realme befoze ẏ ſaid ſtatute. And the ſãe perſon ẏ ſo taketh the church ſhall make his abiuration, and ſhall take his paſſage from thence at ſuch a day and time as the Cozoner ſhall appoint, & ſhalbe marked vpõ the bzawn of his thumb on the right

hand with a burning Iron, & shalbe conueied to the Sanctuary, whereunto he is abiured by ỳ Mayors, Baliffs & Constables in such sathiō as they haue bēn which hertofore had abiured ỳ realme. And if any selō refuse to abiure before ỳ Cozoner he shalbe takē out of the Sanctuary, and shall leese the pryuiledge therof. And that is by the Statute. xxij. H. viij. cap. ij.

Also it is ozdained that none shall be chosen Cozoner, if he haue not land sufficiēt within ỳ saue countie foz to answer all persons. An. iiij. Ed. iij. ca. ij.

And it is further ozdained that all Coroners shalbe chosen in the ful county by the commons of the saide Countie of the moste conuenient and able persons. An. xxviij. Ed. iij. cap. vi.

The Cozoner shall inquire vpon the view of ỳ body if he were slain by day, if the murderer be taken. And if the murderer escape, ỳ township to be amerced. And the Cozoner shall inquire of that escape howe he inquireth of the death vpon view of ỳ body. And the Cozoner shall haue foz his fee, xiij. s. iiij. d. of the goods of the murderer. And if he haue no goods then to haue his fee of they amerciaments as shalbe

set

set vpon the township foz the escape. And after the murderer found: the Cozoner shall certifie his inquisition afoze the Justicers of the next generall Jail delinery in that same countie. And if the Cozoner be remisse & make his inquisitiō vpon the view of the body, & certifie not according as is afoze said: then the Cozoner foz enery default to forfait one hundred .s. An iij. Hen. viij. cap. i.

It is ordained that vpon request of the Cozoner to come and inquire of any person drowned oz slain by misadventure: the Cozoner shall diligently do his office without taking any thing therfoze vpon pain of euery Cozoner that wil not indeuour him to do his office, oz ỳ taketh any thing foz so doing his office vpon any person dead by misadventure, forty shillings An. i. Hen. viij. cap. viij.

In case of mans death within ỳ vierge it shalbe cōmaunded to ỳ Cozoner of that cuntrey that he togither with the Cozoner of the kings house, do make ỳ inquiry and inrole it. And that which can not be determined befoze ỳ steward because the felōs be not attached oz foz other like cause, shall remaine at the common law

so that the exigents, vtlagaryes, and presentments therof to be made in Eire by the Cozoner of the Contrey, as of other felonies don out of the vierge. Articles vpon the Charters. cap. ij.

No Cozoner, Shirif noz other officer shal take ought foz his office & if he do: he shal rellozе twise so much. Welt. j. cap. xxviij. But the statute of H. vj. giueth to the Cozoner a marke foz euery murder.

Also it was said by the Iustices H. vj. R. ij. that ꝑ Cozoner hath no power to inquire of a mans death but only vpō view of the bodye, & if he do it is frustrate and void. And if one Cozoner inquire vpon the view of the body, and after another Cozoner will come and inquire therof again the second inquiry is void, foz the first inquiry is onely of record.

If one become a pzonour befoze the Coroner he shall not afterwarde be admitted to say that he did cōmit the act by duresse of imprisonment: foz the record of the Cozoner shal estop him to plead that.

If any will sue appeale of robery of larceney, he must come into the full Countie within the yer & the day after the felony don, and must finde two pledges foz to

follows

follow his fute, and the cozoner shal enter his appeal immediatly in his role, & the names of the pleoges. And then shall it be cõmaunded to the Baliffs of the place where &c. that he haue the body at ỹ nert county. And if he return at the second cõty non est inuentus: then shall the appeal be called from county to cõty until he be outlawed, and if the plaintif make default at any county: thẽ shall ỹ erigẽt cel until the Eire of the Justicers in the sãe countie, and the plaintif shal lese his acti on after ỹ appearance for euer, wherby it appeareth that after the yeer & day a man shall not haue appeal of felõy. And to this point agreeth Bzeton in his first book.

The Cozoner must recozde his brew, ab iuration. appeales & accusatiõs of theues made befoze him, and so must he do of all things that belong vnto his office to be don, and the nonsutes of plaintifs in appeals he must recozd, withall things don in the countie which belong vnto his office. Also ye shall note that appeals shalbe made in the court of any Lozd that hath franchise of infangthef in presence of the Cozoner &c.

A presentmẽt was sent into the kings bench

bench by a Coroner comprising how a certain person taken for felony was conueyed vnto ỹ Church by certain Fryers &c. And because the Coroner had no power to take such an inditemẽt: a writ was directed to the same Coroner to certifie whether he had any other presentmẽt or not. An. xxxij. E. iij. libro assisarum.

An aduenture of the death of a man was presented before ỹ Justicers in Eire, and because ỹ same was not foũd in ỹ Coroners role: ỹ Coroner was awarded to prison. The Coroners fee in Eire is to haue s. d. of euery venue when they shall come.

Note that a presentment made before Justicers in Eire of a thing which is contrary to that that is entred in the Coroners role shalbe takẽ void, and the Coroners role shalbe taken for the record.

The Coroner shall inquire of the death of men slain or drowned in the armes or creeks of the sea, where the land may be seen of either side.

But now by the statute made An. xiij. R. ij. cap. vi. and confirmed An. ij. Hen. iiij. cap. vi. the Admirall hath no iurisdiction but onely vpon the hie sea, wherby it appereth that the Coroner hath iurisdiction

there

there to enquire of mens death.

A Coroner may take an appeale of felony made by an approuer in any countie of England and so may he do of an abiuratiō in case that he cōfesse the felony to be don in any other couty. And the coroner may abiure him as wel upon that as if ỳ felony had ben don within the same coūtie. But he cannot take any appeal of robbery or felony, unlesse it be within the same county where the robery or felony was committed, & where he is coroner, for by the confession or appeachment he is attained, & so he is not in the other cause.

One that becommeth a prouour, before Justicers shal not haue a Coroner except he wil confesse the felony before thē, and pray a Coroner M. vrbi. Ed. iij.

And if one become a prouour, & appeal other of diuers felonies don in other coūties, in this case the Coroner shall not make processe thrupō into any forrain countie, but he shall enter it into his role and shall send ỳ same presentment before the Justicers of Jail deliuery, & the Justicers of Jail deliuery shall awarde process to the shirif of the forrain countie, for to take him that is so appealed.

Thus

Thus ye muſt vnderſtand that if any Shirifs, bayliſs, Eſcheators, Conſtables, or Coroners take ought for doing their offices otherwiſe then to them is limited by the ſtatutes before declared: ỳ thẏ ſuch taking is extortiõ, which is punishable at the kings pleaſure as appereth before, & in ỳ ſtatute made. 5. H. iiij. cap vi. Wherby it appereth that Shirifs & other miniſters, Bayliſs & their miniſters, Eſcheators and their miniſters, Coroners and their miniſters are bound to ſerue all precepts to them directed from ỳ Juſticers of peace vpon taking ought of any partie. And if a precept be directed to ỳ Shirif or any other the kings officer, to cõpel any to appeer before the Juſticers to finde ſurety of peace, if the part againſt whom any ſuch precepts is directed, be redy to come before the ſaid Juſticers to finde ſurety of peace: they ſhall take nothing of him.

And in like maner muſt they ſerue all proceſſes ỳ come to them, directed out of the kings bench, the common place, the Eſcheker or ỳ Chaũcery without taking ought therfore, but only the fees expreſſed in the ſtatutes before writen. And if they take any other fees it is plain extortion.

A briefe declaration concerning the exortions of Ordinaries, Parsons, Vicars and Curats.

AS concerning Ordinaries, ye shall vnderstand that it is ordained by a Statute made in the xxj. yeer of king Henry the eight, that no Ordinary shall take any thing for the probate of the testament of such a person, whose goods amount not aboue the sum of a hundreth shillings, except to the scribe vi.d. onely. And of goods aboue the value of a C. s. vnto xl. pound iij.s.vi.d. And the Scribe to haue xij.d. of the sum. And for the probate of a Testament of goods aboue ỳ value of xl. l. vi.s. wherof the Scribe to haue x. s. vi. d. & for euery line being x. inches in length one peny. And such summes for letters of administration, where such persons dye intestate and the Testament to be registred and deliuered to the partie without delay, and letters of administration tobe graunted to the wife or next of the blood of the partie deceassed or to both. And for the probate of a Testament or letter of administration of goods vnder the sum of a hundreth shillings, the Ordinarye shall

shall take nothing. Moreouer it is the office of the Ordinary to deface the seale of the testatour (wherwith the testament was sealed) and to deliuer it againe to the partie. And if the Ordinary take any more then afore is limitted he shall forfait so much as he taketh and ten pound more besides that, wherof the moitie shal be to the party greeued.

If the Ordinary scite any person to appeer in the spirituall Court to depose in any matter there as a witnesse: that is extortion and wrong to the partie.

If any Ordinary, Persō or Vicar take any mortuary after the death of any person which had not goods to the value of x. marks that is extortion. And likewise it is wher they take a mortuary in such places where it hath not been accustomed to pay mortuaries. And euen so it is where a person or Vicar taketh more thē iij. s. iiij. d. in the name of a mortuary, if the goods amount aboue x. marks, and vnder the value of xxx. li. for that is extortion. Also if he take more then vj. s viij. d. for a mortuary where the good? be aboue the value of xxx. li. and vnder the sum of xl. pound the dets paid that is extortion.

And

And if they take of them whole goods a mount to xl: li. aboue, the dett paid more thē x. s. for a mortuary: that is extortion. And if they take any mortuary for a woman maried or one that is within age or for a man that kéepeth no house, it is extortion. And if any mortuary be taken in Wales it is extortion, except Bishops that shal take mortuaries there of prēēkt and Curats, and the Archdeacon of Chester shall take mortuaryes of Prēēstes within the Countie of Chester.

And whosoener taketh for a mortuary more then he ought, shall forfait asmuch in value as he taketh, and xl. s. besides that to the partie grēeued. Anno xxj. Henrici. viij. capitulo. vj. And thus haue I thought sufficient to declare vnto you concerning extortions in Ordinaries, Parsons, Vicars and Curats.

Finis.

Imprinted at London, by John Allde.
1573.